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SSCI App

OLC 77-0273

15 January 1977

MR

SSCI
77-0347/14

MEMORANDUM FOR THE RECORD

SUBJECT: Conversation with William Miller, Staff Director, Senate Select Committee on Intelligence, re Mr. Sorensen's Confirmation Hearings

1. I spoke with Bill Miller, Staff Director, Senate Select Committee on Intelligence, who wanted to know what the situation was regarding the confirmation hearings for Mr. Sorensen. I told Miller that we were trying to cooperate with the Committee and with Mr. Sorensen but were not in the pipeline between the Committee and Mr. Sorensen. I told him I was concerned, however, that the questionnaire had not yet reached the Committee. Miller said he understood perfectly why they had not received the questionnaire as yet and knew it was not the fault of the Agency.
2. Miller then said that he had talked with Tony Lapham, General Counsel, concerning a paper on the protection of intelligence sources and methods and Miller said Mr. Lapham told him he would have something to the Committee by noon. (Miller had originally asked for a legal opinion from our General Counsel on the action taken by Mr. Sorensen with respect to classified White House documents as described in his affidavits in the Ellsberg and New York Times cases.) I told Miller that I thought this was an unreasonable request to levy on our General Counsel and in discussions with Mr. Lapham, reaffirmed this view. I indicated that I thought this was a legitimate question for the Committee to put to the Department of Justice--which Miller previously said they had done but that it placed our General Counsel in an impossible position. Miller said he was inclined to agree and withdrew the request. He followed up, however, with a request for a statement from the General Counsel concerning the legal responsibilities of the DCI for the protection of intelligence sources and methods. I told him that I thought this was a more reasonable request which I then passed on to Mr. Lapham.

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3. Miller also asked us to provide to the Committee a list of all classified Agency documents and material which had been sent to Mr. Sorensen during his tenure as Counsel to the President. After conferring with Jack Blake, DDA, I told Miller that our records are not organized in such a way to retrieve information on a name basis since material transmitted to the White House was sent to the Situation Room and our records would not make it possible for us to readily retrieve the kind of information he had requested. I told him, of course, Mr. Sorensen probably had access to information such as the Current Intelligence Bulletin and other similar materials, but we had no specific records on this. Miller said he appreciated the problem and would not press the matter further. I told Miller that the kind of information he wanted should be obtained through White House records. He said he had considered the White House and the gentleman who had handled records of this type during the Kennedy Administration was still there and he would obtain any information he needed from him. Miller did ask, however, whether Mr. Sorensen signed a secrecy agreement while on the White House staff. I told him I had a copy of an agreement he signed on a particular compartmented area and in response to his request, I said I would send it to him today.

4. In response to my query, Miller said that whether Mr. Sorensen's nomination is reported favorably, unfavorably or without recommendation, it will be reported to the Senate floor.



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